

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Rickey L Stevenson,

Plaintiff,

vs.

Richard M. Daley, et al.,

Defendants.

)
)
)
)
)
)
)
)
)

Case No.

RECEIVED: MAY 4, 2009
09CV2699
JUDGE BUCKLO
MAGISTRATE JUDGE COX
AO

NOTICE OF REMOVAL

Defendant City of Chicago, Mayor Richard M. Daley, by one of their attorneys, Naomi Avendano, Deputy Corporation Counsel of the City of Chicago, respectfully remove the above entitled action to this Court, pursuant to 28 U.S.C. §1441(b) and (c), §1446, and on the following grounds:

1. Defendants City of Chicago, Mayor Richard M. Daley, Superintendent Philip J. Cline, Police Officers William Wagner, Enrique Pacheco, and Haleem Mahmaud were named as defendants in a civil action filed on March 19, 2009, in the Circuit Court of Cook County of the State of Illinois, case number 09 CH 12316, entitled Rickey L Stevenson v. Richard M. Daley, et al..

2. The summons and complaint were served upon the City of Chicago, on or about April 9, 2009, and on Mayor Richard M. Daley, on or about April 9, 2009. The remaining defendants have not yet been served, but upon information and belief, they will not oppose this removal once they are served. See summons and complaint attached hereto as Exhibit A.

3. Plaintiff brings this action pursuant to 42 U.S.C. § 1983 and Illinois common law. Plaintiff alleges that the defendants falsely arrested, conspired to falsely arrest, assaulted,

battered, failed to intervene and failed to obtain medical attention for the plaintiff in violation of his rights under the Fourth and Fourteenth Amendments of the United States Constitution and his rights under Illinois law.

4. Defendants are entitled to remove this action to this court, pursuant to 28 U.S.C. §1441(b) and (c).

5. It appears from the face of plaintiff's complaint that this is, primarily, a civil rights action which arises under the United States Constitution and involves federal questions. Plaintiff's complaint alleges, among other things, that the defendants violated the rights of the plaintiff as guaranteed by the United States Constitution.

WHEREFORE, defendants City of Chicago, Mayor Richard M. Daley, Superintendent Philip J. Cline, Police Officers William Wagner, Enrique Pacheco, and Haleem Mahmaud, respectfully request that the above-entitled action now pending in the Circuit Court of Cook County in the State of Illinois, case number 09 CH 12316, be removed therefrom to this Court.

Respectfully submitted,

/s/ Naomi Avendano
Naomi Avendano
Deputy Corporation Counsel

30 N. LaSalle St., Suite 1400
Chicago, IL 60602
(312) 742-7880
Atty. No. 06203689